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Costa Rica's Trans Population Wants Right to Choose Names

by *George Rodríguez*

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Costa Rica's transgender population is demanding the right to have their choice of name legally recognized, starting with identity documents.

A draft bill to that effect is making its way through the Asamblea Legislativa, the nation's single-chamber parliament, but conservative legislators, including representatives of evangelical political parties, have announced their opposition to the proposed text.

On June 7, the congressional Human Rights Committee green-lighted the text for its plenary debate and vote. It had the support of five of six of the members present.

The initiative's goal is to allow trans women and men to legally identify themselves on their national identity card with the name they choose, instead of their gender at birth and their given name, with the new name included only as *conocido como* or "known as." Proponents of the measure argue that the "known as" name is seldom regarded as legal.

As written, the new law would allow trans persons to change their name to one that suits their gender, but it does not eliminate any of the responsibilities and rights they had with their birth names. The initiative also establishes that, unlike the name, the original identity card number must remain unchanged for full identification purposes ([NotiCen, July 28, 2016](#)).

Marcela Guerrero, a congresswoman representing the ruling and center-left Partido Acción Ciudadana (Citizen Action Party, PAC), and one of the five votes in favor of the bill, told the local daily *La Nación* that the initiative "aims at eliminating the inconsistency between the [identity] card and transsexual people's gender." She said it guarantees the protection of human rights, since it "legislates around the recognition and protection of gender identity ... as well as the protection of the person regarding dignified treatment."

Patricia Mora, a Frente Amplio (Broad Front, FA) legislator and committee member who also backed the text, told LADB that the initiative is "aimed at granting all human beings their full rights. ... It's an innovative initiative which aims at justice ... because the restriction that has existed [about the name choice] is curtailing the trans population's possibility to feel identified with the name that appears on their identity document."

And Jota Vargas, spokesperson for the Frente por los Derechos Igualitarios (Equal Rights Front, FDI) told local media that the bill "guarantees trans people's gender identity as a fundamental right, linked to human dignity. All persons deserve to be called and be treated according to the name and gender we identify with."

Uphill battle

In general, the uphill battle for the rights of Costa Rica's lesbian, gay, bisexual, transgender, and intersex people (LGBTI)—just over 500,000 in a population of 4.9 million—has gained momentum

over the past years, despite the opposition of conservative sectors claiming that efforts to have those rights recognized are ultimately aimed at legalizing same-sex marriage, which they also reject.

Justo Orozco, an outspoken anti-LGBTI stalwart who was elected to the assembly twice representing the evangelical Partido Renovación Costarricense (Costa Rican Renewal Party, PRC), opposes any initiative seeking the recognition of LGBTI rights, particularly when it comes to gay marriage.

In 2012, Orozco, a co-founder of the PRC, was the target of severe criticism from the sexually diverse community when he became president of the congressional Human Rights Committee. A month into his presidency, he told the local newspaper La Prensa Libre that his opposition to gay marriage is radical.

"I believe the penis is created for the blessing of having children, not for it to enter an anus," he said. "You've seen children teased a lot because they have big ears or they're fat. Can you imagine a school kid being teased because the kid has two fathers or two mothers, when most have a mother and a father? This is anti-biblical, and it doesn't work."

Asked for the reasons for his opposition, he answered, "For fear of God. I don't want Costa Rica to be a Sodom and Gomorrah."

And on the day of the Human Right Committee's vote, PRC congressman Abelino Esquivel told La Nación that he would oppose "anything that threatens the family—meaning father and mother with children..."

Capricious nature

In an interview with LADB, Esquivel added, "I, as a congressman, have an enormous commitment to defend the issues of life, marriage and family ... regarding the issue the trans are proposing, that's an unfeasible project."

Esquivel said the proposed bill is not a priority for the country.

"And this is a country where each one can think as they want, live as they want, live with whoever they want, but that way of thinking shouldn't determine how future generations are going to be, when it's we, fathers and mothers, who have the right to decide how we raise and educate our children," Esquivel said. "Biologically, a person is born a man or a woman. If they later think or believe they're something else, that's a personal issue. ... Nature is capricious: When one is born, one is born a man or a woman, and that's that."

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